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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,427	11/13/2003	Eric Sprunk	D03045	9955

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Motorola, Inc.
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EXAMINER	
HOFFMAN, BRANDON S	
ART UNIT	PAPER NUMBER
2436	

NOTIFICATION DATE	DELIVERY MODE
08/18/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.US@motorola.com

Office Action Summary	Application No.	Applicant(s)	
	10/712,427	SPRUNK, ERIC	
	Examiner	Art Unit	
	BRANDON S. HOFFMAN	2436	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 August 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19 and 24-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19 and 24-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-19 and 24-30 are pending in this office action.

2. Applicant's arguments, filed August 6, 2009, have been considered and are persuasive. However, a new ground of rejection is made.

Claim Rejections

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

4. Claims 1, 2, 4-9, 11-19, and 24-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa et al. (U.S. Patent Pub. No. 2001/0028725) in view of Van Rijnsoever et al. (U.S. Patent Pub. No. 2002/0090090).

Regarding claims 1, 6, 7, 10, 12, 13, 16, 17, 24, and 26-28, Nakagawa et al. teaches a method/encoder/decoder/computer-readable medium content transport system, comprising:

- A selector for selecting blocks to be encrypted as secured blocks (fig. 15, ref. num 1100/1200);

- A secure block multi-encryptor, for encrypting said secured blocks, thereby forming a plurality of encrypted versions of secured blocks, such that each encrypted version of secured blocks is decryptable by only those destination systems that are in the corresponding class (paragraph 0019 and fig. 25, ref. num 2012);
- A combiner for combining unsecure blocks and encrypted versions of secured blocks into a common stream (fig. 15, ref. num 1302);
- A demultiplexer for separating said common stream into blocks that are usable by a destination system and blocks that are not usable by the destination system (fig. 17, ref. num 2300);
- A selective decryptor that decrypts usable version of secured blocks for each class, thereby forming decrypted secure block sets for the plurality of classes of the destination systems (paragraph 0019); and
- A reassembler for reassembling a useful signal stream from any unsecure blocks, and said version of secured blocks decrypted by the selective decryptor, wherein an ability to reassemble the useful signal stream relies in part on an ability to decrypt usable version of secured block (fig. 15, ref. num 2302).

Nakagawa et al. does not teach using each of a plurality of keys, for each of a plurality of classes of destination systems, each key being associated with a corresponding class of destination systems.

Van Rijnsoever et al. teaches using each of a plurality of keys, for each of a plurality of classes of destination systems, each key being associated with a corresponding class of destination systems (paragraph 0019).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine using a plurality of keys, each associated with a class of destination device, as taught by Van Rijnsoever et al., with the method of Nakagawa et al. It would have been obvious for such modifications because this enables only specific devices to receive a data that has been multicast to all devices.

Regarding claim 2, Nakagawa et al. as modified by Van Rijnsoever et al. teaches wherein said source stream is packetized video data (see paragraph 0314 of Nakagawa et al.).

Regarding claims 4, 8, 15, and 19, Nakagawa et al. as modified by Van Rijnsoever et al. teaches wherein encrypting/decrypting comprises encryption/decryption utilizing at least one of AES, with at least one AES key per class of destination systems, and DES, with at least one DES key per class of destination systems (see paragraph 0023 of Van Rijnsoever et al.).

Regarding claims 5 and 11, Nakagawa et al. as modified by Van Rijnsoever et al. teaches wherein said blocks are MPEG blocks and said secure blocks represent MPEG I frames (see paragraph 0195 of Nakagawa et al.).

Regarding claim 9, Nakagawa et al. as modified by Van Rijnsoever et al. teaches further comprising providing at least one decryption key for said step of decrypting (see paragraph 0019 of Nakagawa et al.).

Regarding claims 14, 18, and 25, Nakagawa et al. teaches wherein the reassembler is an MPEG encoder/decoder (see fig. 15, ref. num 1302 of Nakagawa et al.).

Regarding claim 29, Nakagawa et al. as modified by Van Rijnsoever et al. teaches wherein the first set of blocks and the second set of blocks are identified in accordance with a desired ratio as indicated by a control parameter (see fig. 34 of Nakagawa et al.).

Regarding claim 30, Nakagawa et al. as modified by Van Rijnsoever et al. teaches wherein the portion of said encrypted versions of secured blocks includes at least one encrypted version of secured blocks among the plurality of encrypted versions of secured blocks (see fig. 19, ref. num 6001).

Claims 3 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa et al. (U.S. Patent Pub. No. 2001/0028725) in view of Van Rijnsoever et al. (U.S. Patent Pub. No. 2002/0090090), and further in view of Clark et al. (U.S. Patent No. 5,864,747).

Regarding claim 3, Nakagawa et al./Van Rijnsoever et al. teaches all the limitations of claim 1, above. However, Nakagawa et al./Van Rijnsoever et al. does not teach further comprising encrypting unsecure blocks such that said unsecure blocks are decryptable by each of said plurality of destination systems, if authorized by at least one conditional access system.

Clark et al. teaches further comprising encrypting unsecure blocks such that said unsecure blocks are decryptable by each of said plurality of destination systems, if authorized by at least one conditional access system (col. 6, line 63 through col. 7, line 7).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine encrypting unsecure blocks, as taught by Clark et al., with the method of Nakagawa et al./Van Rijnsoever et al. It would have been obvious for such modifications because the conditional access system has already authorized the device, thus ensuring the device is capable and allowed to receive encrypted content.

Regarding claim 10, Nakagawa et al./Van Rijnsoever et al. teaches all the limitations of claim 6, above. However, Nakagawa et al./Van Rijnsoever et al. does not teach further comprising discarding a portion of said encrypted versions of secured blocks that is encrypted using at least one key not associated with the class.

Clark et al. teaches further comprising discarding a portion of said encrypted versions of secured blocks that is encrypted using at least one key not associated with the class (col. 9, lines 52-64).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine discarding blocks from nonnative classes, as taught by Clark et al., with the method of Nakagawa et al./Van Rijnsoever et al. It would have been obvious for such modifications because discarding a packet that should not be used prevents a user from using it.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRANDON S. HOFFMAN whose telephone number is (571)272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brandon S Hoffman/
Primary Examiner, Art Unit 2436